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8
9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 CITY OF FERNLEY, a political subdivision of
12 the State of Nevada; DAVID F. STIX, JR., an
13 individual; and DEANNA EDMONSTON, an
14 individual,

15 Plaintiffs,

16 vs.

17 ERNEST A. CONANT, Regional Director,
18 UNITED STATES BUREAU OF
19 RECLAMATION; UNITED STATES
20 BUREAU OF RECLAMATION; and
21 PYRAMID LAKE PAIUTE TRIBE,

22 Defendants.

23 Case Number: 3:21-CV-00119-MMD-CLB

24 **NOTICE OF APPEAL AND**
25 **REPRESENTATION STATEMENT**

26 **NOTICE IS HEREBY GIVEN** that Plaintiff City of Fernley (“Fernley”) hereby appeals to the
27 United States Court of Appeals for the Ninth Circuit from the Judgment in a Civil Case entered on
28 December 13, 2021 (ECF No. 67) (a true and correct copy of which are attached hereto as Exhibit 1);
from the Order granting Defendant’s motion for dismissal entered on December 13, 2021 (ECF No. 66)
(a true and correct copy of which is attached hereto as Exhibit 2); and from the Order denying Plaintiff’s
FRCP 59(e) motion to amend entered on March 15, 2022 (ECF No. 79) (a true and correct copy of which
is attached hereto as Exhibit 3).

29 The Defendants in this case are:

30 Ernest A. Conant, in his capacity as Regional Director, United States Bureau of Reclamation,

United States Bureau of Reclamation.

2 Counsel for Defendants are Eve W. McDonald, Jefferey S. Thomas, Todd Kim, United States
3 Department of Justice, Environmental and Natural Resources Division, 999 18th Street, South Terrace,
4 Suite 370, Denver Colorado, 80202; tel. (303) 844-1381; and Christopher Chiou and Holly A. Vance,
5 Office of the United States Attorney, Bruce R. Thompson U.S. Courthouse & Federal Bldg., 400 S.
6 Virginia Street, Suite 900, Reno, NV 89501; tel. (775) 334-3347.

The Intervenor Defendant in this case is:

Pyramid Lake Paiute Tribe

9 Counsel for Intervenor Defendant Pyramid Lake Paiute Tribe are Don Springmeyer, Christopher
10 W. Mixson, and Chad Aronson, Kemp Jones, LLP, 3800 Howard Hughes Parkway #1700, Las Vegas,
11 NV 89169; tel. (702) 385-6000.

Dated this 16th day of March 2022 by:

TAGGART & TAGGART, LTD.

By: /s/ David H. Rigdon
DAVID H. RIGDON, ESQ
Nevada State Bar No. 13567
PAUL G. TAGGART, ESQ.
Nevada State Bar No. 6136
Attorneys for City of Fernley

REPRESENTATION STATEMENT

1
2 The undersigned represents Plaintiff City of Fernley. Below is a list that shows all of the parties
3 to the action and identifies their counsel by name, firm, address, email, and telephone number, pursuant
4 to FRAP and Circuit Rule 3-2(b).

5 **Plaintiff and Appellant:**

6 City of Fernley, a political subdivision of the State of Nevada

7 **Counsel for Plaintiff and Appellant:**

8 DAVID H. RIGDON, ESQ.

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18 **Intervenor Plaintiffs:**

19 David F. Stix, Jr., an individual, and

20 Deanna Edmonston, an individual

21 **Counsel for Intervenor Plaintiffs:**

22 LAURA A. SCHROEDER, ESQ.

23 Nevada State Bar No. 3595

24 THERESE A. URE STIX, ESQ.

25 Nevada State Bar No. 10255

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1 **Defendants:**

2 Ernest A Conant, in his capacity as Regional Director of the United States Bureau of
3 Reclamation, and

4 United States Bureau of Reclamation

5 **Counsel for Defendants:**

6 CHRISTOPHER CHIOU, Acting United States Attorney

7 HOLLY A. VANCE, Assistant United States Attorney

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12 TODD KIM, Assistant Attorney General

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14 Colorado State Bar No. 26304

15 JEFFREY S. THOMAS, Trial Attorney

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17 United States Department of Justice

18 Environment and Natural Resources Division

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22 Evelyn.McDonald@usdoj.gov

23 **Intervenor Defendant:**

24 Pyramid Lake Paiute Tribe

25 **Counsel for Intervenor Defendant:**

26 DON SPRINGMEYER, ESQ.

27 Nevada State Bar No. 1021

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EXHIBIT INDEX

1
2 Exhibit 1: Judgement in a Civil Case, Entered on December 13, 2022 [ECF No. 67]
3 Exhibit 2: Order granting Defendant's motion for dismissal entered on December 13, 2021 [ECF No.
4 66]
5 Exhibit 3: Order denying Plaintiff's FRCP 59(e) motion to amend entered on March 15, 2022 [ECF No.
6 79]
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